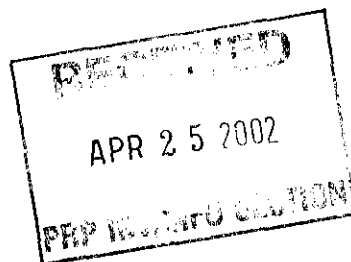




459184

ORIGINAL
(Red)600 REED ROAD
BROOMALL, PA 19008
(610) 353-5100
FAX: (610) 353-8189

April 18, 2002



Ms. Carlyn Winter Prisk (3HS11)
United States EPA
Region III
1650 Arch St.
Philadelphia, PA 19103-2029

Re: Reply by M.A. Bruder & Sons, Inc. to EPA's 104(e) Request, Lower
Darby Creek Area Superfund Site

Dear Ms. Prisk:

M.A. Bruder & Sons, Inc. ("MAB") hereby responds to the Information Request Letter from the United States Environmental Protection Agency ("EPA") dated October 5, 2001. MAB has diligently searched through its Philadelphia-area operations to determine whether or not it retained documents from 1958-1976, but cannot locate any such documents, except as referenced herein. Upon information and belief these documents were long ago discarded or destroyed, but there is no record memorializing such an event. Moreover, MAB's investigation has been hampered by the death of several key employees who would have had information potentially responsive to EPA's information requests. MAB is continuing to investigate the location of additional employees that may have pertinent information.

MAB is deeply disturbed by the recollections of an unidentified driver that worked for Eastern Industrial, as reflected in the "statement" forwarded by EPA. It is especially disturbing that the driver first identifies Buten (now Duron) paints at one address, and then months later shifts to Brutor (as opposed to Bruder) and further changes the address. MAB cannot possibly be expected to defend itself against such shifting statements without knowing the identity of the driver at issue, together with an opportunity to examine the underpinnings of his dubious recollection.

***On time
As promised
or We pay***

**★ MAKING
★ AMERICA
★ BEAUTIFUL**
since 1899

MANUFACTURING PLANTS:
Philadelphia, PA; Terre Haute, IN; Orlando, FL

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EPA also forwarded the recollections of an unidentified driver for Tri-County Hauling. Based on this document, the driver appears to have transported waste from MAB during an undisclosed period of time and for unknown duration. MAB cannot assess the veracity of this statement because of the redacted information. Most troubling, of course, is the fact that it contradicts the "statement" of the unidentified Eastern Industrial driver. However, the extent of such contradiction cannot be evaluated by MAB since that statement too involves an unknown time period.

Consequently, under the Freedom of Information Act, MAB requests non-redacted versions of these statements in order to determine their accuracy. It is extremely difficult to defend against inherently contradictory statements when MAB has no information regarding the identity of the proponent of the information, and cannot determine the witnesses' veracity. In the interim, MAB takes the position that EPA cannot use these statements as a basis for determining MAB's potential liability at the this Site without affording MAB an opportunity to review such materials in total.

MAB's Responses are as follows:

1. M.A. Bruder & Sons, Inc. was incorporated in 1946. Smith Alsop Paint & Varnish Company was acquired by MAB in 1969, and merged into it in 1983. Moreover, M.A.B. Paint Stores, Inc. merged into MAB in 1983, as did Lambert Realty Corporation and Bertlam Realty Corporation.

2. MAB manufactures, distributes and sells paint and other coating materials to other industries, contractors and individual retail customers. The essential nature of MAB's business has remained unchanged.

3. Erle Krauss, Paul Davit, Frank Greisser (deceased), William Gibson (deceased), John Sloss (deceased), John Kilday, Donald Deutsch (deceased), Joseph A. Procopio (location under investigation).

4. (a)-(b) See Response No. 1.

(c) Based upon MAB's diligent review of information relating to waste streams it generated from 1958-1976, hazardous substances were disposed of by Continental Vanguard (10/75-5/78) and then Marvin Jonas from 6/78-10/79, which is beyond the relevant time frame. Unfortunately, it does not appear that MAB retained records relating to the offsite transportation of waste from its Philadelphia Plant before 1975. MAB is attaching a 104(e) response it

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prepared in connection with the GEMS Superfund matter in New Jersey. See, Attachment A. At that time, MAB was unable to locate any records documenting specific disposal arrangements prior to October 1975. However, Messrs. Krauss and Davit, both of whom were involved in the day-to-day management and operation of the Philadelphia Plant, deny that MAB ever operated any dump trucks whatsoever, or that MAB disposed of its own liquid wastes in its own trucks.

Moreover, a list of substances produced and/or used at the MAB Philadelphia Plant is attached hereto as Attachment B. Water would be used for cleaning tanks and filling equipment utilized for latex-based products. Solvents would be used for cleaning tanks and filling equipment utilized for oil-based products. Mineral spirits was the primary cleaning solvent. There would be approximately 7-10 tanks cleaned on a daily basis with tanks ranging in capacity from 100 - 1200 gallons. Solvents and wastewater used in the tank cleaning process would be transported off-site for disposal by an independent waste hauler. These outside haulers used a combination of tankers, flat bed trailers and box trailers. At no point did any such parties, to the recollection of MAB management, ever use a company truck to dispose of waste, nor did MAB have any dump trucks of its own, or which bore its name.

5(a). MAB apparently maintained manifests, log book entries and ledger entries relating to offsite transport of waste materials. However, after diligent search it appears those records pre-dating October 1975 cannot be located, and are believed to have been destroyed or discarded. Upon information and belief the destruction or discarding of such records took place prior to July 1986, at which time EPA Region II served MAB with a Request for Information relating to the GEMS Superfund Site. MAB's investigation is continuing, and this response will be modified if subsequently discovered information indicates a need to do so;

(b) None that can be located at this time;

(c) MAB's diligent inquiry indicates a contractual relationship with Continental Vanguard from approximately October 1975 through May 1978. However, MAB cannot locate any specific contract document.

6-7. Attachment B is a list of known hazardous substances generated and/or used on connection with the manufacturing of paint. See Response 4(c) for further response. Information, such as MSDS and chemical properties, is publicly available with respect to these materials. MAB can provide

such supplemental material if EPA is unable to locate same. Because the relevant timeframe for EPA's inquiry is 25 to 43 years ago, MAB has been unable to locate contemporaneous records that would specifically respond to EPA's Information Request. However, MAB compiled similar information for a prior EPA Information Request Letter on connection with the Buzby Landfill Site in New Jersey. While the relevant time periods for the information request in Buzby differs from that in the instant matter, based upon diligent inquiry, the attached list constitutes MAB's best recollection of those hazardous substances used in its processes, and generated as wastes.

8. Based upon diligent inquiry, the only entities with which MAB contracted for waste disposal during the relevant time frame for this inquiry was Continental Vanguard, starting in the fourth quarter, 1975. MAB has extremely limited information about the identity of haulers before Continental Vanguard, and its investigation is continuing. According to testimony elicited in 1995 in the GEMS Landfill matter, the individuals at MAB who had that knowledge would most likely have been Frank Greisser and William Gibson (both deceased), who were responsible for waste disposal arrangements during the 1970's. Other employees who apparently loaded waste onto hauler trucks were John Sloss (deceased) and Jack Kilday. By way of further answer, MAB contracted with Marvin Jonas and Jonas Waste Removal, but not until 1978, beyond your relevant timeframe.

MAB is continuing to identify current and retired employees that may have pertinent information responsive to this inquiry. MAB will supplement this response should additional investigation disclose information that so requires.

9. MAB knows of no such persons who disposed, transported or arranged for disposal of MAB's waste at the facilities referenced. MAB has no information in its possession indicating that any of its waste was disposed at said facility, despite diligent inquiry.

10. See No. 9.

11. MAB's investigation is continuing. However, MAB has no information indicating that it ever caused a release of chemicals, hazardous substances, hazardous and for non-hazardous waste at the facility. EPA has provided MAB with a highly redacted and highly suspect statement the contents of which MAB expressly denies. MAB categorically denies that it ever owned or operated dump trucks, and consequently denies that it dumped paint or paint

thinner at the facility. Moreover, MAB denies it ever operated a facility at 58th Street and Woodland Avenue, or on Elmwood Avenue. To the contrary, MAB's plant is at 52nd and Grays Avenue, and was at that location during the relevant time frame under EPA's Request for Information. Upon information and belief Harad Paint operated at 55th and Grays Avenue, and its questionable waste storage and disposal practices are detailed in In re: B:1-Dry Corporation, RCRA (3008) Appeal No. 98-4, slip op. at 16, 48 (E.A.B. 2001). Further MAB believes a painting contractor operated at 56th and Woodland, called OB Cannon. MAB believes those companies may be the subject of EPA's interview of Eastern Industrial employee.

12. Erle Krauss, V.P. Production and Research; Paul Davit, plant engineer: Mr. Krauss may be reached at MAB's corporate offices, 600 Reed Road, Broomall, PA 19008, (610) 353-5100; Mr. Davit resides at 1343 W. Baltimore Avenue, Apt. A-210, Media, PA 19068, (610) 358-5766. MAB requests that EPA notify the undersigned counsel prior to any contact with these individuals, so that they may be represented counsel during any interviews or questioning.

13. No.

14. See Response to No. 11

15(a) Andrew S. Levine, counsel to MAB; David R. Winters, V.P. Finance, MAB;

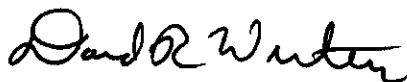
(b) further correspondence should be directed to Andrew S. Levine, Esq., Stradley, Ronon, 2600 One Commerce Square, Philadelphia, PA 19103, at (215) 564-8073, and/or at alevine@stradley.com.

16. To the best of MAB's knowledge, documents from the relevant time period have been destroyed. Site personnel has no recollection of when the documents were destroyed, and advises that after a thorough search of the Philadelphia Plant, no such documents were discovered. MAB does not believe any such documents would have been transported to a different plant or location. A copy of MAB's 1990 Document Retention Policy is attached. MAB maintained ledger books that would disclose the party with which MAB contracted for waste disposal, but MAB believes these records were discarded several years ago. The person believed to have made any decisions regarding such document retention and destruction was Donald Deutsch, who was Corporate Coordinator of Manufacturing and Engineering, as well as Philadelphia Plant Manager. Mr. Deutsch died in 1998.

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This concludes MAB's Response to EPA's Information Request. If EPA has any further questions regarding MAB and its Replies herein, kindly contact our counsel, Andrew S. Levine at (215) 564-8073.

Very truly yours,



David R. Winters
Vice President – Finance

DRW:h

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Exhibit A



M. A. BRUDER & SONS INCORPORATED

600 Reed Road, P.O. Box 600, Broomall, Pa. 19008, (215) 353-5100

July 3, 1986

United States Environmental Protection Agency
Region 11
26 Federal Plaza
New York, NY 10278

Attn: William J. Librizzi

RE: Disposal of Hazardous Substance(s) at the Glouster
Environmental Management Services ("GEMS") Landfill
Request for Information under 42U.S.C. §9604 and 42U.S.C. §6927

We respectfully request that all information in response
to the questionnaire relating to the above be held in strict
confidence.

Very truly yours,

M. A. BRUDER & SONS, INC.

Erle F. Krauss
Vice President
Production & Research

EFK/rc

EPA Request for Information

Shipment of Waste Materials to the GEMS Site

Date: May 1986

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207

EPA Request for Information
Shipment of Waste Materials to the GEMS Site

Instructions

In responding to this Request for Information, the following instructions apply:

1. Respond to each Question in Section A by checking the appropriate column (Yes or No). Consult with all present and former employees and agents of your company whom you have reason to believe would be familiar with each question in preparing your response to each.
2. Complete Section B by providing the following:
 - a. A written statement clarifying every "Yes" answer to any question(s) in Section 1.;
 - b. Identifying on Figure 1. every facility which you believe shipped any waste material to the GEMS Site and any facility from which Marvin Jonas, Inc removed any waste material at any time since January 1, 1968;
 - c. Identifying on Figure 2. all past and present employees of your company who are aware of any shipments of waste material to the GEMS site from your company or who are aware of waste shipments given to Marvin Jonas, Inc.
 - d. Providing all other documents and information requested in Section B.
3. Sign Section A where indicated.
4. Sign and notarize the Certification Statement where indicated.
5. Send the original completed signed copy of this questionnaire and all other documents requested therein to the EPA Project Manager - GEMS Site at the EPA - Federal Plaza address indicated in the cover letter. This final package must consist of the following:
 - a. Section A signed by an appropriate corporate official;
 - b. The Certification Statement signed by an appropriate corporate official and notarized;
 - c. Completed copies of Figures 1. and 2. (write the word "None" on any of these Figures if applicable);

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- d. A statement clarifying every YES answer to any of questions noted in Section A; and
 - e. Any other documents and information requested in Section B of the questionnaire.
6. The terms "you," "your company" and similar terms shall mean all past and present facilities, subsidiaries, and employees of your corporation unless its meaning is otherwise explicitly redefined in any specific question.
7. The terms "any waste material" or "any industrial waste material" mean any solid, liquid or sludge materials or any mixtures thereof which possess any of the following characteristics:
- a. it contains one or more "hazardous substances" (at any concentration) as defined in 42 U.S.C. §9601(14);
 - b. it is a "hazardous waste" as defined in 42 U.S.C. §6904;
 - c. it has a pH less than 2.0 or greater than 12.5;
 - d. it reacts violently when mixed with water;
 - e. it generates toxic gases when mixed with water;
 - f. it ignites or explodes;
 - g. it is an industrial intermediate waste product;
 - h. it is an industrial treatment plant sludge or supernatant;
 - i. it is an industrial byproduct having some market value;
 - j. it is coolant water or blowdown waste from a coolant system;
 - k. it is a spent product which could be reused after rehabilitation (e.g., recycled oil);
 - l. it is any material which you have reason to believe would be toxic if either ingested, inhaled or placed in contact with your skin;
 - m. it is municipal treatment plant sludge;
 - n. it is contaminated oil or some other petroleum based liquid; or
 - o. it is asbestos or some asbestos product or mixture.

The term "waste materials" does not include domestic or office refuse or garbage, tree stumps, vegetation, and construction debris. Therefore, information concerning these specific waste products can be omitted from this questionnaire.

8. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.

9. Where documents are requested but are not available, state the reason(s) for their unavailability. However, to the best of your ability, identify any such document by stating its author, date, and subject matter. -
10. Where you have reason to believe that any present or past employee or agent of your company may be able to answer any of the questions contained herein or may be familiar with operations or disposal of waste materials at the GEMS Site, identify such persons by name, address, and phone number on Figure 2. including a brief statement indicating the basis for such belief.
11. If you cannot provide a precise answer to a question, please approximate, but, in any such instance, note the reason why you cannot be more specific.
12. The terms "hazardous waste" and "hazardous substance", as used in the questionnaire, are as defined in 42 U.S.C. §6904 and 42 U.S.C. §9601(14), respectively.
13. The term "records", as used in the Questionnaire, is as defined in 40 C.F.R. §2.100(b).
14. The terms "GEMS Site", "the Site", and similar terms mean the 60+ acre parcel of real property owned by and located in Gloucester Township, New Jersey and operated as a waste disposal site by Anthony Amadei, Anthony Amadei Sand & Gravel, Inc., and Gloucester Environmental Management Services, Inc. (GEMS) at various times during the period extending from the late 1960's until November 1980.

.EPA Request for Information
Shipment of Waste Materials to the GEMS Site

Section A

General Information:

Respond to all the following questions by checking the Yes or No column as applicable and sign at the end of this Section where indicated. Consult with all present and former employees and agents of your company as needed to provide an accurate response to each Question.

- | | <u>Yes</u> | <u>No</u> |
|---|------------|------------------|
| 1. Has your company or any of its past or present employees ever transported any of the following materials to the GEMS Site from any facilities owned or operated by your company: | | |
| a. any hazardous waste(HW)? | _____ | X |
| b. any hazardous substance(HS)? | _____ | X |
| c. any industrial waste material of any type? | _____ | X |
| d. any asbestos? | _____ | X |
| e. any sewage treatment plant sludge? | _____ | X |
| f. any fly ash or combustion waste products | _____ | X |
| g. any petroleum or petroleum waste products? | _____ | X |
| h. any chemical waste of any type? | _____ | X |
| i. any liquid waste or industrial byproducts? | _____ | X |
| j. any sludge of any type? | _____ | X |
| k. any highly corrosive materials of any type? | _____ | X |
| l. any highly volatile or flammable material? | _____ | X |
| m. any material in tank trucks? | _____ | X |
| n. any material in drums or containers? | _____ | X |
| o. any marine dredge material? | _____ | X |
| p. any domestic, institutional or office garbage? | _____ | X |
| q. any material of any type? | _____ | X |
| <p>If <u>any</u> of the above questions are answered <u>Yes</u>, identify on <u>Figure 1</u>. the facilities which were the sources of such materials, the year(s) during which such shipments occurred, the nature of such materials, haulers involved and other pertinent information as requested.</p> | | |
| 2. Did any haulers or agents for your company ever transport <u>any</u> of the above type(s) of waste materials to the GEMS site from any of your facilities? | | <u>NOT KNOWN</u> |
| 3. Has your company or any of its past or present employees ever arranged for | | |
| a. disposal of any HW, HS or any other type of waste material at the GEMS Site? | _____ | X |
| b. transportation of any HW, HS or any other type of waste material to the GEMS Site? | _____ | X |

- | | <u>Yes</u> | <u>No</u> |
|--|----------------|----------------|
| 4. Do you have any reason to believe that any materials ever located at or possessed by your company were ever disposed of at the GEMS Site? | _____ | _____ <u>X</u> |
| 5. Did your company ever transact any business with <u>any</u> of the following entities for the purpose of waste disposal: | | |
| a. Anthony Amadei Sand & Gravel, Inc.? | _____ | _____ <u>X</u> |
| b. Gloucester Environmental Management Services, Inc. (GEMS)? | _____ | _____ <u>X</u> |
| c. Any of the officers of the above firms? | _____ | _____ <u>X</u> |
| d. Continental Vanguard, Inc.? | _____ <u>X</u> | _____ |
| e. Haul Roads, Inc.? | _____ | _____ <u>X</u> |
| f. Mr. Marvin Jonas or Marvin Jonas, Inc.? | _____ <u>X</u> | _____ |
| g. Jonas Waste Removal, Inc.? | _____ <u>X</u> | _____ |
| h. Jonas Steel Drum, Inc.? | _____ | _____ <u>X</u> |

If any of the above questions are answered Yes, identify on a separate sheet of paper the facilities which gave waste materials to each such hauler; for each such facility describe the nature and quantities of the waste materials given to the waste hauler(s) involved, the approximate dates of such shipments and other relevant information. (See attached)

6. Did Marvin Jonas, Inc. (a.k.a. Jonas Waste Removal and Jonas Steel Drum) ever remove any of the following type(s) of waste material (or mixtures containing any of the following materials) from any facility owned or operated by your company in New Jersey, Pennsylvania or Delaware:

- | | <u>Yes</u> | <u>No</u> |
|---|----------------|----------------|
| 1. any hazardous waste as defined in RCRA? | _____ <u>X</u> | _____ |
| 2. any hazardous substance as defined in CERCLA? | _____ <u>X</u> | _____ |
| 3. any liquid waste of any type? | _____ <u>X</u> | _____ |
| 4. any sludge of any type? | _____ <u>X</u> | _____ |
| 5. any solid waste of any type? | _____ <u>X</u> | _____ |
| 6. any contaminated or used oil? | _____ | _____ <u>X</u> |
| 7. any solvents? | _____ <u>X</u> | _____ |
| 8. any paint waste? | _____ <u>X</u> | _____ |
| 9. any chemical or pharmaceutical waste? | _____ <u>X</u> | _____ |
| 10. any ink waste? | _____ | _____ <u>X</u> |
| 11. any wastes containing metals? | _____ <u>X</u> | _____ |
| 12. any process waste of any type? | _____ <u>X</u> | _____ |
| 13. any intermediate or "off-spec" product? | _____ <u>X</u> | _____ |
| 14. any washwaters? | _____ <u>X</u> | _____ |
| 15. any oils or petroleum based liquids? | _____ <u>X</u> | _____ |
| 16. any asbestos? | _____ <u>X</u> | _____ |
| 14. any waste material of any type? | _____ <u>X</u> | _____ |
| 15. any drums regardless of contents or lack thereof? | _____ <u>X</u> | _____ |

(If any of the above questions as answered Yes, please provide details concerning the nature and quantities of such waste materials, dates when such materials were removed, identify the facilities involved and provide other pertinent details of shipments given to any of these Marvin Jonas enterprises)

7. Do you have any reason to believe that any material of any type was ever transported by your company to the GEMS Site located in Gloucester Township, New Jersey? Yes No
_____ X
8. Estimate the total amount of waste material which your company gave to all Marvin Jonas companies during the period extending from 1968 through 1980 by filling in the information requested below. Do not include garbage, debris, vegetation or any office wastes in these estimates. If the answer for any of these items is zero, write "none" on the line provided.

Liquid waste: 783,400 ~~million~~ gals. 577,500
783,400

Solid waste: * tons

Sludge: * million gals.

Total No. of drums: 668

Years during which Marvin Jonas, Inc. (or any Marvin Jonas company) removed any waste material from any facility owned or operated by your company:

1978 - 1980

I affirm under the penalty of perjury that the above facts are true to the best of my knowledge and belief.

Erle F. Krauss
Name of Corporate Officer

Erle F. Krauss
Signature of Corporate Officer

V-P Production & Research
Title

July 7, 1986
Date

(215) 359-4097
Phone Number

*ALL SOLID WASTE AND SLUDGE WENT OUT IN TOT. #: (668) DRUMS.

M. A. BRUDER & SONS, INC.

SECTION A

QUESTION 5

All of the following noted waste was generated at M. A. Bruder and Sons, Inc., 52nd and Grays Avenue, Philadelphia, PA 19143:

CONTINENTAL VANGUARD:

10-2-75 TO 12-31-75

70,500 GAL.

Latex/solvent and sludge streams went out as one stream.
Destination unknown?

1-1-76 TO 11-2-76

323,400 GAL.

Latex/solvent and sludge streams went out as one stream.
Destination unknown?

11-8-76 TO 12-31-76

25,000 GAL.

Solvent stream

15,000 GAL.

Latex stream
Destination unknown?

1-1-77 TO 12-31-77

204,500 GAL.

Solvent stream

159,700 GAL.

Latex stream

5,000 GAL.

Solvent sludge, 11-4-77.

5,000 GAL.

Latex sludge, 11-7-77
Destination of above unknown?

1-1-78 TO 5-31-78

80,000 GAL.

Solvent stream

75,000 GAL.

Latex stream
Destination of above unknown?

JONAS:

6-1-78 TO 12-31-78

151,500 GAL.

Solvent stream

109,300 GAL.

Latex stream

508 DRMS.- 27,940 GAL.

Waste drums

Destination of above unknown.

1-1-79 TO 10-2-79

185,700 GAL.

Solvent stream

148,500 GAL.

Latex stream

Page 2 of -

Jan 10-3-79 to 12-31-79

date	Stream	Quantity	Mfg. Part #	Disposal Facility	
3-3-79	5:11	5700 G.	C 41425	?	
3-10-79	"	5700 G.	C 41436	?	
3-17-79	"	5700 G.	No manifest	?	
3-23-79	"	5700 G.	A 22464	?	
3-31-79	"	5700 G.	C 41502	?	
4-7-79	"	5700 G.	C 41531	?	
4-15-79	"	5700 G.	C 41559	?	
4-28-79	"	5700 G.	C 41587	?	
5-4-79	"	2800 G.	No manifest	?	
5-8-79	"	2800 G.	C 41620	?	
5-19-79	"	5700 G.	C 41637	?	
5-24-79	"	2800 G.	C 41644	?	
6-1-79	Isle	5700 G.	C 41436	?	
6-24-79	"	5700 G.	C 41475	?	
6-27-79	"	5700 G.	C 41511	GR025	
6-28-79	"	5700 G.	C 41547	?	
6-29-79	"	5700 G.	C 41555	?	
6-30-79	"	5700 G.	No manifest	?	
7-10-79	"	5700 G.	C 41633	?	
7-20-79	"	5700 G.	C 41645	?	
8-25-79	Sludge Dr.	80 dr.	C 41481	Tony?	
9-20-79	"	80 dr.	C 41573	?	

Rec'd above:

53,400 Gal. solvent stream
40,000 Gal. latex stream
160 drum 8,800 Gal. Paint sludge.

Tons 1-1-80 to 3-15-80

Date	Stream	Quantity	Manifest	Disposal Facility
1-16-80	Solvr.	5000 G.	No manifest	?
1-24-80	"	5000 G.	"	?
1-1-80	"	5000 G.	C 41872	?
1-8-80	"	5000 G.	C 41895	?
1-14-80	"	5000 G.	C 41908	?
2-25-80	"	5000 G.	C 41534	?
1-5-80	"	5000 G.	No manifest	?
1-14-80	"	5000 G.	C 41972	?
1-25-80	"	5000 G.	C 41955	?
1-10-80	Latex	5000 G.	C 41621	?
1-25-80	"	5000 G.	C 41675	?
1-31-80	"	5000 G.	C 41870	?
2-7-80	"	5000 G.	C 41894	?
2-1-80	"	5000 G.	C 41910	?
2-22-80	"	5000 G.	C 41618	?
2-24-80	"	5000 G.	C 41944	GROWS
3-7-80	"	5000 G.	C 41954	?
3-17-80	"	5000 G.	C 41536	?
3-24-80	"	5000 G.	C 41987	GROWS

Recap above: 45,000 gal. solvent stream
 50,000 gal. latex stream

3-25-80 was the last date that MAB used Tons.

MAB started using B75 (Resource Tech. Service) on 3-26-80 & has on file all required & mandated paperwork.

Section B

Waste Disposal Information:

1. For each Question in Section A which was answered Yes provide the reason(s) for that answer on a separate sheet of paper. In that statement, provide the the following information, as applicable:

- a. Names of all the facilities in your company which had their waste material shipped to the GEMS Site or which had their wastes removed by Marvin Jonas, Inc.;
- b. A description of the waste material(s) involved, including including total volumes and general characteristics which were shipped to the GEMS Site;
- c. The date(s) years such shipments occurred; and
- d. Any other information needed to clarify the basis for answering Yes to the question.

SEE ATTACHED

2. List on Figure 1. all the facilities in your company from which waste materials were removed by Marvin Jonas, Inc. and characterize such waste material for each such facility. (If the answer is none, write "None" on that form.)

3. List on Figure 2. all past and present employees of your company who

- a. has actual knowlwdge of any shipment of any waste material from your company to the GEMS Site; or
- b. has ever arranged for any shipment of any waste material from your company to the GEMS Site; or
- c. is familiar with the nature of the waste material given to Marvin Jonas, Inc.

4. Provide copies of all documents, records, reports, analyses, etc. in your company's possession or control which relate to any of the following:

- a. shipments of waste materials to the GEMS Site;
- b. waste materials given to Marvin Jonas, Inc., Jonas Waste Removal or Jonas Steel Drum;
- c. physical and chemical analyses and any other characterization of any and all of the waste materials which were ever removed by any of the aforementioned Jonas enterprises from any facilities which were ever owned or operated by your company after January 1, 1968;
- d. your company's contract(s) with any of the Jonas enterprises noted above.

M. A. BRUDER & SONS, INC.

SECTION B

1. a. As noted in Section A, Marvin Jonas did remove waste from M. A. Bruder & Sons, Inc., 52nd & Grays Avenue, Philadelphia, PA 19143.
- b. Nothing noted as being shipped to GEMS.
- c. N.A.
- d. None.

Figure 1.

Corporate Facilities Which Shipped to the GEMS Site or Were Serviced by Marvin Jonas

<u>Facility Name/Location</u>	<u>Years Shipments Occurred</u>	<u>Waste Characterization</u>
1. M. A. BRUDER & SONS, INC. 52nd & Grays Avenue Philadelphia, PA 19143	'78 TO '80	Latex waste stream Solvent waste stream Drums of sludge and solids
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Figure 2.

Corporate Employees Familiar with Shipments to the GEMS Site or Waste to Marvin Jonas

<u>Name</u>	<u>Title</u>	<u>Address</u>	<u>Phone Number</u>
WILLIAM E. GIBSON	Ind. Engr.	1112 Brookwood Lane Secane, PA 19018	(215) 586-4358

EPA Request for Information
Shipment of Waste Materials to the GEMS Site

CERTIFICATION OF ANSWERS TO THE REQUEST FOR INFORMATION

I hereby affirm and certify under penalty of perjury that the following facts are true to the best of my knowledge and belief:

- a. That I have personally examined and am familiar with all the information provided herein in response to the EPA Request for Information.
- b. That all the answers contained herein are true, complete, and accurate to the best of my information and belief;
- c. That all documents contained herein are complete and authentic unless otherwise indicated; and
- d. That in the preparation of the responses contained herein, I have contacted and discussed the issues contained in the EPA Request for Information with all present and former employees and agents of the company whom I have reason to believe may have been familiar with any information concerning the shipment of any materials to the GEMS Site and with any of the issues and questions contained in this Request.

I am aware that substantial fines and penalties, including imprisonment, exist for submitting false, misleading, or inaccurate information in response to this Request for Information.

I am also aware that my company is under a continuing obligation to submit to EPA any additional information which comes to its attention which would either supplement or modify any of its responses to this questionnaire.

Erle F. Krauss
Name of Corporate Official
V-P Production & Research
Title
52nd & Grays Ave., Phila., Pa. 19143
Address

Erle F. Krauss
Signature
July 7, 1986
Date
(215) 359-4097
Phone Number

Notary: *Maria A. Murray*
My commission expires: _____

MARIA A. MURRAY
Notary Public, State of Penna.
My Commission Expires Nov. 10, 1986

Exhibit B

EXHIBIT M

WASTE FROM PAINT MANUFACTURING CONTAINS NUMEROUS DIFFERENT MATERIALS.
THE FOLLOWING IS THE BEST ESTIMATE OF CONTENT AND RELATIVE PROPORTIONS
OF THE SUBSTANCES IN THAT WASTE:

VERY LARGE:

CITY WATER
MINERAL SPIRITS

LARGE:

TITANIUM DIOXIDE
CLAY
TALC
SILICA
DIATOMACEOUS SILICA
CALCIUM CARBONATE
ACRYLIC EMULSIONS
VINYL-ACRYLIC EMULSION
ALKYD RESINS (LINSEED/SOYA)

INTERMEDIATE:

ZINC OXIDE
IRON OXIDE YELLOW
IRON OXIDE RED
SODIUM POTASSIUM ALUMINUM SILICATE
BIS-PHENOL A EPOXY RESINS
POLYURETHANE RESINS (LINSEED/SOYA)
POLYAMINE EPOXY CURING AGENTS
ALKYD RESIN (VINYL TOLUENE MODIFIED)
LINSEED OIL (PROCESSED)
SOYA OIL (PROCESSED)
AROMATIC HYDROCARBON SOLVENTS
 XYLENE
 TOLUENE
 HI FLASH NAPHTHA
VM&P NAPHTHA
ETHYLENE GLYCOL
PROPYLENE GLYCOL

SMALL:

CARBON BLACK
PHTHALOCYANINE BLUE
PHTHALOCYANINE GREEN
TOLUIDINE RED
HANSA YELLOW

EXHIBIT MSMALL: (CONTINUED)

CHROMIUM OXIDE
IRON OXIDE BROWN
IRON OXIDE BLACK
BARIUM SULPHATE
PETROLEUM HYDROCARBON RESIN
VINYL CHLORIDE - MALEATE ESTER COPOLYMER
VINYL CHLORIDE - VINYL ACETATE COPOLYMER
POLYVINYL BUTYRAL POLYMER
CHLORINATED RUBBER
ALKYD RESIN (SILICONE MODIFIED)
ACRYLIC COPOLYMER RESIN
PHENOXY RESIN
PHENOLIC-CASTOR/TUNG VARNISH
UREA-FORMALDEHYDE RESIN
MELAMINE-FORMALDEHYDE RESIN
FISH OIL (PROCESSED)
ALIPHATIC POLYISOCYANATE RESIN
HYDROXYETHYL CELLULOSE
ETHANOL
2,2,4-TRIMETHYL-1,3 PENTANEDIOL MONOISOBUTYRATE
NONYLPHENOXYPOLYETHOXY ETHANOL
ALKYL ARYL POLYETHER ALCOHOL
BLOCK COPOLYMER OF PROPYLENE & ETHYLENE OXIDE
SODIUM SALT OF POLYACRYLIC ACID
AMMONIUM SALT OF STYRENE/MALEIC ANHYDRIDE COPOLYMER
METHYL ETHYL KETONE
METHYL ISOBUTYL KETONE
N-BUTANOL
N-PROPANOL
BUTYL ACETATE
AMMONIUM HYDROXIDE
POTASSIUM TRIPOLYPHOSPHATE
COBALT NAPHTHENATE
ZIRCONIUM 2-ETHYLHEXANOATE/NEODECANOATE
ZINC 2-ETHYLHEXANOATE
CERIUM/LANTHANUM NEODECANOATE
MANGANESE C₈ TO C₁₂ BRANCHED SYNTHETIC ACIDS
CALCIUM C₈ TO C₁₂ BRANCHED SYNTHETIC ACIDS

TRACE:

DINITRANILINE ORANGE
LEAD CHROMATE
ZINC CHROMATE
ALUMINUM PIGMENT
ASBESTOS
BARIUM METABORATE
TRIETHYLAMINE
CALCIUM OXIDE
DIBUTYL PHTHALATE
DIOCTYL PHTHALATE
CHLORINATED PARAFIN
METHYL ETHYL KETOXIME

Exhibit C

To: Accounting Department

Subject: Retention and Retrieval of Accounting Records
Effective January 1, 1990
Includes changes to comply with subchapter 3 NJAC 7:27
Proposed in December 1989 (VOS Compliance)

The volume of records being maintained forces the adoption of a formal retention and filing system for quick retrieval.

RETENTION

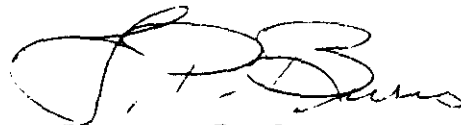
The records indicated on attachment "A" must be retained either by custom or statute for the period shown.

Some of our existing records, will be microfiched and will be retained in that mode. Certain records are impractical to film (e.g. Paid invoices) and these will be retained in hard copy form.

Other records, such as General Ledgers, must be retained in hard copy form permanently.

The retention schedule shown assumes there are no audits pending and that there are no Net Operating Losses to be carried back. Either of these situations forces an adjustment to the retention period.

The retention periods on the attached schedule are over and above the current year. e.g. in February 1991, 1989 "1 year records" can be destroyed.



Francis P. Burns
December 14, 1989

/tg

ATTACHMENT A

<u>REPORTS OR DOCUMENTS</u>	<u>RETAIN ORIGINAL COPY (YEAR)</u>
General Ledgers - All Cos.	Permanent
Trial Balances	Permanent
FRS Reports - Eastern Group	Permanent
Federal & State Income Tax Returns	Permanent
FRS Reports & General Ledgers - T/H	3
Paint Production (all records)	5
Monthly Production	
Production Posting Proofs	
Cumulative Posting Proofs	
Quarterly Summary	
Descending Gallons	
YTD Gallons End of Year	
Shipment Reports	5
Posting proof-monthly details	
Charge Sales & Credit Memo Summaries	3
Interstores	
Posting Proofs-monthly detail	5
To/From FRS Summary	3
Labor Distribution Summaries	3
Store Report Monthly Summaries - Part A	3
Store Report Monthly Summaries - Part B	3
Perpetual Inventory Runs	
Print out and Maintenance	3
Voucher Distribution Summaries	3
Computer Check Registers	5
Manual Journal Vouchers	3

REPORTS OR DOCUMENTS

RETAIN ORIGINAL
COPY (YEAR)

C. O. D. Shipment Detail	3
Driver Envelopes	
Sales Tickets	
Cash Receipts	
Cash Receipt Journal Copies	
Tax Exempt Certificates	
Carpet Agreements & Logs	3
Bank Reconciliations	3
Monthly Bank Statements	
Reconciliations	
Depository Transfers	
Perpetual Sales Summaries	3
YTD Voucher Distribution	3
YTD Purchases by Vendor	3
Interstores - Pink Copies	1
Shipments	5
Packing Slips	
Delivery Tickets	
Florida Shipments	
Tax Except Income	3
Sales & Use	
Personal Property	
Fuel Use	
Annual Reports	
Misc. Permits & Licenses	
Can Counts	1
Production Batch Cards	1
Credit Card Sales Slips	1
Daily Charges Sales Registers	3
Store Report Originals	3
Cancelled Checks	7
Accounts Payable Paid Invoices	75

REPORTS OR DOCUMENTS

RETAIN ORIGINAL
COPY (YEAR)

Accounts Payable Paid Salesmen's Expense Reports**	6
Misc. Accounting Records	7
Workpaper Account Analysis	7
DNM Check & Distribution Registers	7
Financial Statements	7
Physical Inventory Workpapers	Permanent
Reserved for Physical Inventory	
Store Physical Count Sheets	3
Plant Count Cards	3
Inventory Print-outs-FIFO	3
" " " LIFO	3
Formula Files	3
Product Master File - FIFO	*
" " " LIFO	*
Over/Short Summary Run & Accrual Detail	3
Comparative Standard vs. Actual	
Payroll records	6
Weekly input sheets	
Employee time cards	
Check registers (weekly & monthly)	
Labor distribution (weekly)	
Cancelled payroll checks	
Payroll taxes	
W-2 Forms	
941	
Local & State withholding workpaper	

*Product Master Files must be microfiched and retained permanently - Original copies can be disposed of after 3 years.

**Effective January 1, 1990; Retention required to preserve Business use of Vehicles logs in accordance with revised IRS Regs.